

SOLON TOWNSHIP PLANNING COMMISSION

Tuesday, August 3, 2021, 7:00pm

Solon Township Hall

9191 S. Kasson St., Cedar, MI 49621

I. Call Meeting to Order/Pledge of Allegiance

Chair Morgan called the meeting to order at 7:00pm with the Pledge of Allegiance and a moment of silence.

II. Roll Call/Guest Sign-in

Present: Al Laskey, Member; Steve Morgan, Chair; Meg Paxton, Member; Lisa Rossi, Member; Samantha Vandervlucht, Member; Todd Yeomans, Vice Chair/ZBA Rep and Steve Yoder, Township Board Rep

Guests: Judy Janosik, Mary O’Neill, Charlie Smith and Karen Smith

III. Motion to Approve Minutes –July 6, 2021

Chair Morgan asked for a motion to approve the July minutes as presented. Changes to the minutes reported: *Correction of spelling of Janosik; page 2, 1st line, add the draft is; page 2, 8th line, change chair to planning commission; page 2, under Township Board Rep Report, change have to having and Cedar Lake to Lake Leelanau and Cuomo to Comeau; page 3, line 13, change was to is being and last paragraph change made to may; page 4, line 20, change bay to bank and post office; page 5, line 32 change to Laskey advised they “are”; and page 6, 3rd paragraph, add “ to may.* Laskey moved to approve the July 6, 2021, minutes as amended; Yeomans seconded. All in favor, motion carried.

IV. Agenda – August 3, 2021

Chair Morgan asked for a motion to approve the August agenda as presented. Yoder moved to approve the August 3, 2021, agenda as presented; Rossi seconded. All present in favor, motion carried.

V. Correspondence –None.

VI. Public Comment (three minutes per person unless extended by Chair)

Judy Janosik thanked the board for the change in seating as it helps her to hear better.

VII. Conflicts of Interest – None reported at this time.

VIII. Reports

Township Board Rep: Yoder reported on the following issues from the Township Board July meeting:

- A new boat washing station, which has been adjusted due to the amount of grant funding. Leelanau County is going to be paying \$500 per month to put up a surveillance site at the recycling center.
- Flaska is putting roof on both buildings for \$2,200.
- With the donations and volunteers, the playground was able to be completed for \$30,000 rather than \$53,000.
- Cedar Cover bylaws were approved.
- Road closures for polka fest activities in August were approved.

ZBA Rep: Yeomans advised nothing to report at this time.

Zoning Administrator: Cypher reported he is still working with legal counsel on the Delmoupied matter. Cypher stated he has the expectation to have the draft for the board meeting next week. Cypher advised that there has been no response from letters and phone calls to Delmoupieds.

Cypher reviewed the Zoning Administrator report for July 2021 provided to the Planning Commission members prior to this meeting.

IX. Public Hearing –None

- Open Public Hearing by chair and Presentation by Applicant
- PC Questions / Discussion with Applicant
- Staff Comments (ZA/Planner)
- Public Comment (limited to three minutes per person unless extended by chair)
- Applicant's Response to Public Comment, directing statements to PC
- PC further discussion with staff (if required)
- Close Public Hearing by Chair
- Findings of Fact – Deliberations with PC members/questions of applicant if needed
- PC Motions/Action

X. New Business

A. None

XI. Unfinished business

A. Review Zoning Ordinance Article Draft rewrite – June 23, 2021 draft V.1

Cypher reviewed progress of the zoning ordinance draft rewrite over the past seven years. Cypher advised there will be a clean copy prior to a public hearing.

Discussion followed. Cypher advised the public hearing is first, then the draft goes to the county.

Article XIII. No comments from planning commissioners currently. Cypher reviewed what other townships are doing. Discussion followed regarding the slope percentages with Yoder advising that Solon Township did change the slope to 33 percent. Cypher stated he will review the previous minutes to confirm the change to 33 percent.

Discussion followed on the administrative section. Cypher advised he will review Article XIII and check on the changes that Yoder has from a previous session. Cypher stated that some changes could be because of legal counsel's comments.

Discussion followed about driveways and switchbacks. Planning commission members had no other changes.

Article XIV. Yoder reviewed changes from a previous review with Cypher advising he will check with legal counsel. Yoder stated that zoning was added prior to board of appeals throughout. Discussion followed regarding 14.01 with Cypher advising he will be checking with legal counsel. Yoder advised that in section 14.03, 7 lines down, 8 days prior was changed to 15 days. Yoder stated that in section 14.04, 3rd line down right after safety, building code requirements was inserted. Discussion followed. Cypher advised it is now the Building Safety not Construction Code office.

Yoder reported that in section five, everything after matter, which is on second line, was deleted, and "the property owner will be required to initiate all required repairs or replacement within one year of the date of the original event" was added. Discussion followed. Cypher advised that legal counsel may have struck that addition. Yoder stated that Item two, "land use and" was added right at the beginning. Yoder advised that after "issuance of a" that "township use permit" was inserted, plus two was changed to one.

Article XV. Yoder stated that in 15.01 or 15.02 right after erected on the first line that altered or used in is underlined. Discussion followed about adding commas in place of multiple usages of or. Yoder advised in the 3rd line down in 15.03, right after storage building, a period was added with the rest deleted. Discussion followed regarding items within public view. Cypher advised will he add environmental contamination concerns.

Mary O'Neill asked whether properties with unlicensed cars would be grandfathered with ordinance changes. Cypher advised that if the cars are in public view, they would be in violation. Cypher advised district five was taken out and perhaps the attorney put back in.

Yoder stated that in 15.04 right after 72 inches everything was deleted and "except that a wall or fence placed in the front yard area shall not exceed a height of 3 feet of the setback areas" was added. Cypher advised he will check with legal counsel, plus get with Michelle, a previous planning commission member to get the binder with the records of changes from past minutes. Cypher clarified with Vandervlucht that items not allowed on corner lots is due to having a clear line of sight.

Article XVI. Yoder advised 16.03 states it shall be the duty of the administrator to interpret or administrator. Discussion followed. Consensus of planning commission members is to change to zoning administrator throughout 16.04.

Discussion followed on 16.05 and violations. Janosik stated that “he” is used in the document. Discussion followed on gender-neutral terms. Cypher advised he will speak with legal counsel on wording.

Article XVII. No changes.

Article XVIII. Yoder advised that in 18.11 a space needs added between “the” and “purpose.”

Article XIX. Changes completed at July 2021 meeting.

Article XX. Changes completed at June 2021 meeting.

Article XXI. Cypher reported he sent Article XXI to a contact at MDARD for review and was advised by MDARD that Article XXI is well done. Cypher advised that wedding venues are allowed only on working farms. Discussion followed. Cypher stated that Solon Township is one of the few townships with an AG/Tourism ordinance. No other comments currently.

Article XXII. Cypher reported the major change in Article XXII is to pull away the township board’s approval on setting density. Discussion followed about Flaska and Lautner Road density increase. No other comments currently.

Article XXIII. Cypher advised the graphics in Article XXIII are much better, plus fire chief input is included. No other comments or changes currently.

Article XXIV. Chair Morgan questioned the location of towers in the ordinance. Discussion followed on towers and commercial screening. No other comments or changes currently.

Article XXV. Cypher advised that currently an owner can rent out their entire single-family dwelling but cannot rent out a room in their house as it falls under the Bed and Breakfast rules. Extensive discussion followed with planning commission members and the public. Cypher advised that the township board would have to pass a resolution and that planning commission can make recommendations to the township board.

Charlie Smith reported that Acme Township is considering a plan to regulate licensing and inspections, plus collect fees to pay for enforcement. Cypher advised that all single-house dwellings must be the same, and that townships cannot specify an ordinance specific to only short-term rentals.

Article XXVI. Cypher advised Article XXVI is the rework from 2016 Supreme Court ruling that townships cannot regular content. Discussion followed on political signage. No other comments or changes currently.

Article XXVII. Vandervlucht found a typo on page 137, 27.03.G, third line down, replace “by” with “be.”

Janosik advised that perhaps ZA (Zoning Administrator) could replace “he” throughout the ordinance. Cypher advised will get legal counsel opinion.

Cypher reported he will make changes discussed at today’s meeting and provide a reprint to review at the September meeting. Discussion followed. Chair Morgan clarified with Cypher that the Master Plan can be put on the agenda.

XII. Other Items

A. None

- XIII. ZA/Planning Commission Comment** – Laskey asked question about “granny flats.” Discussion followed. Cypher advised that currently in Solon Township an accessory dwelling needs to be attached. Discussion followed regarding affordable housing, tiny homes, and long-term rentals. Cypher advised that he can put accessory dwellings on the September agenda with planning commissioners’ approval. All planning commission members in agreement for accessory dwellings go on the agenda prior to the Master Plan.

XIV. Public Comment (three minutes per person unless extended by Chair)

Mary O’Neill suggested that perhaps the planning commission may wish to wait for the results from the Fleis and Vandenbrink study on Cedar parks. Yoder advised this study is strictly on parks, which is entirely different than the work on the Master Plan.

Karen Smith confirmed with Cypher that there will be a notice for the public hearing. Cypher advised that the ordinance will be in the meeting handouts on the website prior to the public hearing.

- XV. Adjournment:** There being no objection, Chair Morgan adjourned the meeting at 9:02pm

The next meeting is scheduled for Tuesday, September 7, 2021, at 7:00pm, at the Solon Township Hall.

Respectfully Submitted

Sandra Dunkin, Recording Secretary

Date Approved: